

BOARD OF FORESTRY AND FIRE PROTECTION
PROFESSIONAL FORESTERS REGISTRATION
P.O. BOX 944246
SACRAMENTO, CA 94244-2460
(916) 653-8031
www.fire.ca.gov/bof/licensing



LICENSING NEWS

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I. Board of Forestry and Fire Protection

1. Governor Appoints Three Board Members

On June 6, 1999, Darryl Young was appointed as a member of the Board of Forestry and Fire Protection.

Young, 38, of Davis, is currently the Deputy Director of the Governor's Office of Planning and Research. Young has served as Chief Consultant of the Senate Natural Resources Committee, and attended the University of California at Davis where he majored in Political Science and Public Service with an emphasis in Environmental Science. Young serves as a public member of the Board; his term expires on January 15, 2002.

On July 13, 1999, Governor Davis announced the appointments of Stan L. Dixon and Andrew K. Marckwald as members of the Board of Forestry and Fire Protection.

Dixon, 60, of Eureka, has served on the Humboldt County Board of Supervisors since 1989. Dixon also has served on several boards and commissions including the Eel Russian River Commission as chair and the North Coast Air Quality Management District. Dixon, a veteran of the United States Marine Corps, earned a Bachelor of Arts degree from Humboldt State University. Dixon serves as a public member of the Board; his term expires January 15, 2002.

Marckwald, 51, of San Francisco, has more than eighteen years experience in energy and environmental regulatory issues. In 1984, he founded California Energy Associates and has led large-scale regulatory reform and strategic planning projects. Marckwald, who previously served as the deputy secretary of the Resources Agency, earned a Bachelor of Arts degree from Trinity College in Hartford, Connecticut and a Master of Science degree in natural resources from the University of Michigan. Marckwald serves as a public member of the Board; his term expires on January 15, 2003.

All appointees are subject to Senate confirmation within one year of assuming the duties of a Board member.

As of this writing, two unfilled positions on the Board remain, both representing the forest products industry.

2. Board Presents the 1999 Francis H. Raymond Award

On August 31, 1999, the California State Board of Forestry and Fire Protection presented the 1999 Francis H. Raymond Award to the Quincy Library Group in Sacramento's McKinley Park. The award ceremony, which featured a Texas

barbecue, was attended by approximately 50 people including: Congressman Wally Herger, State Assemblyman Sam Anestad, and Director Andrea Tuttle of the Department of Forestry and Fire Protection.

The Raymond Award is presented annually by the Board of Forestry and Fire Protection to an individual, or organization, for outstanding contributions during the past five years to the protection and wise-use of forest resources in California. Named in honor of Francis H. Raymond, former State Forester and leading proponent of the Professional Foresters Act of 1972, the Award acknowledges outstanding performance in forest management, research, education, and in seeking to increase public awareness of forest resources in California.

Those in support of the nomination of the Quincy Library Group included Senator Dianne Feinstein, Congressman Wally Herger, The Plumas County Board of Supervisors, and The Shasta-Tehama Bioregional Council. The Quincy Library Group was chosen for its contributions in raising the awareness of the citizens of California on forestry issues, and specifically for:

1. Developing a three county consensus group in northeastern California which found common ground among non-traditional partners including: elected officials, sawmill operators, woods workers, local environmentalists, union representatives, local citizens, foresters and loggers.
2. Raising public awareness of environmental and economic issues including: desired future condition, sensitive area protections, fuels management, riparian habitat management, watershed restoration, stewardship contracting and sustainable yield, which promote sustainable forest management and community stability.
3. Success in achieving consensus and obtaining congressional support for the implementation of a pilot project to achieve forest health and community stability on the Plumas, Lassen and Tahoe National Forests, and the resulting passage of The Herger-Feinstein Quincy Library Group Forest Recovery Act.

In presenting the Award, Board Chairman Robert J. Kerstiens noted that "The members of this group have worked together to achieve an unprecedented level of consensus between many previously non-traditional stakeholders. The achievement of this consensus, and the increased level of awareness of forestry issues throughout California which has resulted, forms the basis for this Award."

The Board is in the process of accepting nominations for the 2000 Francis H. Raymond Award. Further information on the nomination process can be found in this issue.



State Board of Forestry and Fire Protection Chairman Robert J. Kerstiens (left) presenting the 1999 Francis H. Raymond Award to the members of the Quincy Library Group.

3. Board Approves Changes in Foresters Licensing Regulations

In the spring of 1998, the Board of Forestry and Fire Protection requested the Professional Foresters Examining Committee (PFEC) to undertake a review of policies and regulations which govern the process of disciplinary actions against Registered Professional Foresters. In particular, the Board requested that the PFEC review current regulation and policy to assure consistency in two areas:

1. The relationship between the cause of action and the resultant discipline, and
2. The policies that guide public and media notification of resolved disciplinary actions to assure consistency and fairness between cases.

The PFEC worked throughout 1998 drafting suggested revisions to both policy and regulation in these areas.

At the January 1999 meeting, the Board directed staff to prepare a 45-day Notice of Hearing, as well as an Initial Statement of Reasons. The Public Hearing was held in June 1999, at which time only three comments were received. The rule package was approved by the Board, forwarded to the Office of Administrative Law, and filed with the Secretary of State on September 13, 1999. The rules, as modified, will become effective October 13, 1999.

The approved modifications will apply to, 14 CCR §1607 – Issuance, Expiration and Renewal of Licenses and Certificates, 14 CCR §1608 – Withdrawals, and 14 CCR §1612.1 – Disciplinary Guidelines. Briefly, the approved modifications are as follows:

14 CCR §1607 – The modifications adopted address individuals who are reinstating their license or certificate from withdrawal, and requires those individuals to pay the full renewal fee regardless of the actual length of time remaining in the renewal cycle specified by the Board. Additionally, the regulations adopted revise some existing language for clarity, and to make the rule language consistent with other existing language and the Public Resources Code. Furthermore, they specify the time period allowed and individual to pay renewal fees and penalty fees in order to reinstate a license that has been revoked due to non-payment of fees. The adopted rules change the rule language requiring fees (and penalties) to be paid within one year of the renewal date and to allow license reinstatement in conformance with the existing language under PRC §783.

14 CCR §1608 – The adopted modifications require the Board to revoke a license or certificate if the reinstatement application and required fees are not presented to the Board within a specified period. Additionally, the adopted rule changes require the Board to deny the reinstatement of a license or certificate if the withdrawal occurred as part of a stipulated agreement pertaining to disciplinary action, or if the withdrawal occurred after an individual was notified that a disciplinary investigation was being conducted but before the investigation and any disciplinary proceedings have been concluded.

14 CCR §1612.1 – The adopted rules separate the causes of action of fraud, deceit, and gross negligence from misrepresentation, and material misstatement of fact. They also increase the guidelines for minimum discipline relating to fraud, deceit, gross negligence, misrepresentation, and material misstatement of fact; extending the period of suspension (for fraud, deceit, and gross negligence), requiring the successful completion of a training program, and requiring the review of the individuals work by another forester or other specialist. Furthermore, the adopted rules increase the minimum discipline related to incompetence to include license suspension, successful completion of the

forester's examination with a passing grade, and performance of work under the supervision of a Registered Professional Foresters, with review of the work. Additionally, the adopted rules allow the Board to reduce the minimum discipline related to material failure to comply with the Professional Foresters Law. This allows the Board to issue a private reprimand, confidential letter of concern, or exoneration as is warranted by the situation. Finally, as with other the sections, the adopted regulations revise some of the existing language for clarity.

A full copy of the modified rules, including strikeout and underline reflecting the approved changes, is found in the appendix of this issue.

II. CDF and Resource Agency Activities

1. Scientific Review Panel Releases Report

On June 15, 1999, the Watershed Protection and Restoration Council completed its *Report of the Scientific Review Panel on California Forest Practice Rules and Salmonid Habitat*. This publication is a product of the March 1998 Memorandum of Agreement between the State Resources Agency and the National Marine Fisheries Service (NMFS). Within this Memorandum was a commitment by the State to organize a panel of independent scientist to review the adequacy of current Forest Practice Rules, relative to the protection of salmonid species.

To accomplish this review, a scientific review panel (SRP) consisting of five members was formed. Those members are: Frank Ligon; Alice Rich, Ph.D.; Dale Thornburgh, Ph.D./RPF; William Trush, Ph.D.; and Gary Rynearson, RPF, acting in the capacity of coordinator. The mandate of the SRP was to conduct a review of "...California's forest practices regulations, their implementation and enforcement in order to determine their adequacy." Further, the Memorandum directed the SRP to develop the following products:

- A definition of properly functioning habitat conditions which adequately conserve anadromous salmonids; and
- A joint review of the adequacy of the California Forest Practice Rules, including implementation and enforcement to achieve properly functioning habitat conditions.

The SRP developed a plan to involve the public, state and federal agencies, landowners, and other interested parties. A total of 29 constituency groups (comprising 128 interviewees) interested in salmonid issues were invited to meet with the SRP. Interviewees included state and federal agency representatives, environmental representatives, large and small landowners, foresters, geologists, watershed specialists, fisheries representatives, fish/habitat restorationists, south

of San Francisco (“856 counties”) representatives, and fish biologists. Following the interviews, the SRP visited THP sites in Humboldt and Mendocino Counties.

The following “Overall Conclusions” are taken directly from the Executive Summary of this document.

“The SRP concluded that the FPR’s, including their implementation (the “THP process”) do not ensure protection of anadromous salmonid populations. The primary deficiency of the FPR’s is the lack of a watershed analysis approach capable of assessing cumulative effects attributable to timber harvesting and other non-forestry activities on a watershed scale. As currently applied, Technical Rule Addendum No. 2 does not provide the necessary cumulative effects assessment at the appropriate temporal and spatial scales. Therefore, with regard to the SRP’s mandate, the state will need to sponsor and conduct watershed analyses in all watersheds within both steelhead ESU’s. Also, specific rules governing onsite operations and road maintenance need stronger enforcement and/or modification to further minimize sediment production, improve stream habitat, and guarantee unrestricted passage by migrating juvenile and adult salmonids. The SPR focused on the following rule sections: watercourse protection measures, road construction and maintenance, and winter operations limitations. Finally, the SRP reviewed Timber Harvesting Plan (THP) implementation issues, especially RPF involvement throughout the THP process as well as THP review and approval procedures, and developed recommendations for improving the process.

The SRP recommends watershed analysis as the best available tool to evaluate past, ongoing, and potential future cumulative watershed effects (CWEs) resulting from forest management and other watershed activities, and to identify strategies to avoid, minimize, and/or mitigate adverse CWEs on salmonid populations and their habitat. All THPs within a specific watershed would rely upon the same watershed-specific analysis to identify key concerns and potential factors limiting salmonid populations. Because widespread availability of watershed analyses will be required, the state must develop and manage an interagency watershed analysis program. This should be done in consultation with NMFS, EPA, the forest industry, and academic and other non-agency scientists. All watershed analyses should be peer reviewed and then certified by a panel of scientists. The SRP has developed general guidelines for a watershed analysis that can result in specific harvest prescriptions, quantifiable performance targets, and prioritized mitigation measures.

Success of the watershed analysis process relies on the following two key items: (1) the credibility of the science and methodologies used, and (2) the professionalism of the scientists and the specialists involved in the process. To succeed, data collected for the watershed analysis must be done in a consistent manner agreed to by all parties involved, with protocols established well before a

watershed analysis program is implemented. Quality Assurance / Quality Control (QA/QC) must be an integral part of the process.

Although a watershed analysis program may require several years to develop and implement, certain actions can begin immediately. The SRP recommends the following preliminary actions until watershed analyses are completed: (1) identify legacy sediment problems that should be immediately mitigated in high priority watersheds, (2) assess anadromous fish migration corridors (both within and outside watersheds), and prioritize barriers for potential removal or replacement, and (3) modify specific forest practice rules.

Pending completion of watershed analyses, the SRP recommends the Board of Forestry consider whether a harvest limitation based on percent of watershed is warranted. This percentage would function as a red flag rather than as a moratorium. Predictably, the environmental community advocated a maximum harvest of 10% to 15% of the watershed per decade, whereas timber industry constituencies offered a maximum of 70% to 85% per decade. The SRP believes a more likely value would range from 30% to 50% per decade, but will depend on numerous factors including geology, harvest prescriptions, past disturbance, etc. The SRP recommends that a blue-ribbon scientific panel be commissioned in 1999 to consider the need for harvest limitations."

The full report, which is available on the Internet, additionally contains sections detailing the Review Panel approach and methodology, biological considerations, findings and proposed strategy, recommendations, and references. To access this report, please visit the California Environmental Resources Evaluation System web page at: www.ceres.ca.gov. The report is found through a "CERES Search", using the keywords "SRP Report". There are also a limited number of print copies available. To obtain your copy, contact Mark Hite at the California Department of Forestry and Fire Protection at (916) 653-5123.

2. Interim Hillslope Monitoring Report Released

At the June BOF meeting held in Sacramento, the Board's Monitoring Study Group (MSG) presented an interim report to the BOF documenting the results of the Hillslope Monitoring Program from 1996 through 1998. A brief summary of the report follows, highlighting important areas where RPFs and LTOs should focus efforts to ensure water quality protection. While the rules were found to be implemented for a large majority of the applications through good work by LTOs and RPFs, the data does point out areas in need of improvement. These areas include the following items:

- Results to date indicate that greater attention is needed for improved crossing design, review, construction, maintenance, and removal.

- Better implementation of rule requirements related to drainage structure design, construction, and maintenance is needed.
- Proper road construction techniques are critical to protect water quality from fill slope failures.

The Hillslope Monitoring Program was established to determine how effective the Rules are in protecting water quality. Field work was completed on 150 randomly selected THPs, 50 of which were located in Humboldt and Mendocino Counties in 1996, and 100 that were located state-wide in 1997 and 1998. Independent private contractors completed the field evaluations. Approximately two-thirds of the plans were located on large industrial landowners, while about one-third were THPs on small non-industrial parcels or other types of ownerships. Forest Practice Rule requirements were evaluated for implementation and effectiveness at randomly located transects on roads, skid trails, and WLPZs, as well as at randomly located landings and crossings. Large erosion events (i.e., greater than 100 yd³ when located on hillslopes and greater than 10 yd³ at failed crossings) were inventoried where encountered on the THPs. Rule implementation was evaluated both for the transect (or landing/crossing) as a whole to get an overall rating, as well as at erosion problem sites (i.e., rills, gullies, mass failures, and cutbank/ sideslope sloughing).

The MSG report indicates that for non-problem sites, most of the rule requirements related to water quality had generally good implementation. The report does, however, suggest several areas where greater attention is needed from RPFs and LTOs. In particular, watercourse crossings stood out as having the poorest rule implementation and the greatest potential impact on water quality. This was due to both high levels of departures from rule requirements and the fact that any sediment from crossing work is already at or in the channel. Approximately 40% of the crossings evaluated had one or more problems present. Common problems included fill slope gullies and slope failures, plugging, scour at the outlet, and diversion potential. Numerous rule requirements requiring proper channel configuration following crossing removal or abandonment had poor implementation. Results to date indicate that greater attention is needed for improved crossing design, review, construction, maintenance, and removal.

A high number of rule requirements associated with forest roads were also found to have poor implementation, but implementation ratings at erosion features indicated that the direct impact to water quality was generally lower than that for watercourse crossing problem sites. The rules with the highest departures from stated requirements were related to waterbreak spacing, maintenance, and construction standards; adequate number, size, and location of drainage structures; prevention of discharge onto erodible fill; and sidecast limitations on steep slopes. Better implementation of rule requirements related to drainage structure design, construction, and maintenance is needed. Mass failures associated with current timber operations were mostly related to roads and

produced the highest sediment delivery to watercourse channels when compared to other erosion processes. The majority of the road related mass failures were associated with fill slope problems—indicating that proper road construction techniques are critical for protecting water quality.

Skid trail segments were found to have a much lower frequency of erosion features when compared to road transects, and overall skid trails appear to be having much less impact to water quality. Spacing of waterbreaks was the most frequently cited drainage feature problem associated with rilling and gullying on skid trails. Landings did not have substantial numbers of erosion features and the problems noted did not generally transport sediment to watercourses.

WLPZs generally met Rule requirements for width, canopy, and ground cover. Very few erosion features associated with current THPs were recorded within WLPZs. However, Rule implementation data suggests that RPFs should do a better job of specifying protection measures when there are existing roads in WLPZs and erodible, unstable banks are present.

Overall, the data collected to date suggests that the vast majority of erosion problems were caused by poor implementation of specific Rule requirements. In other words, the Rules and THP requirements were generally found to be sufficient to prevent hillslope erosion features when properly implemented on the ground by LTOs. This is similar to what the “208 Team” reported in 1987. In summary, greater emphasis on WLPZ protection measures in the 1990’s has resulted in good rule implementation in riparian areas. Results to date indicate that currently RPFs and LTOs need to improve practices related to crossing installation and removal, as well as those related to proper road drainage and fill slope construction.

If you would like to receive a complete copy of the Monitoring Study Group report titled *Hillslope Monitoring Program: Monitoring Results from 1996 through 1998*, or have questions regarding the program, please contact Pete Cafferata at (916) 653-9455.

3. 1999 to Date THP Summary

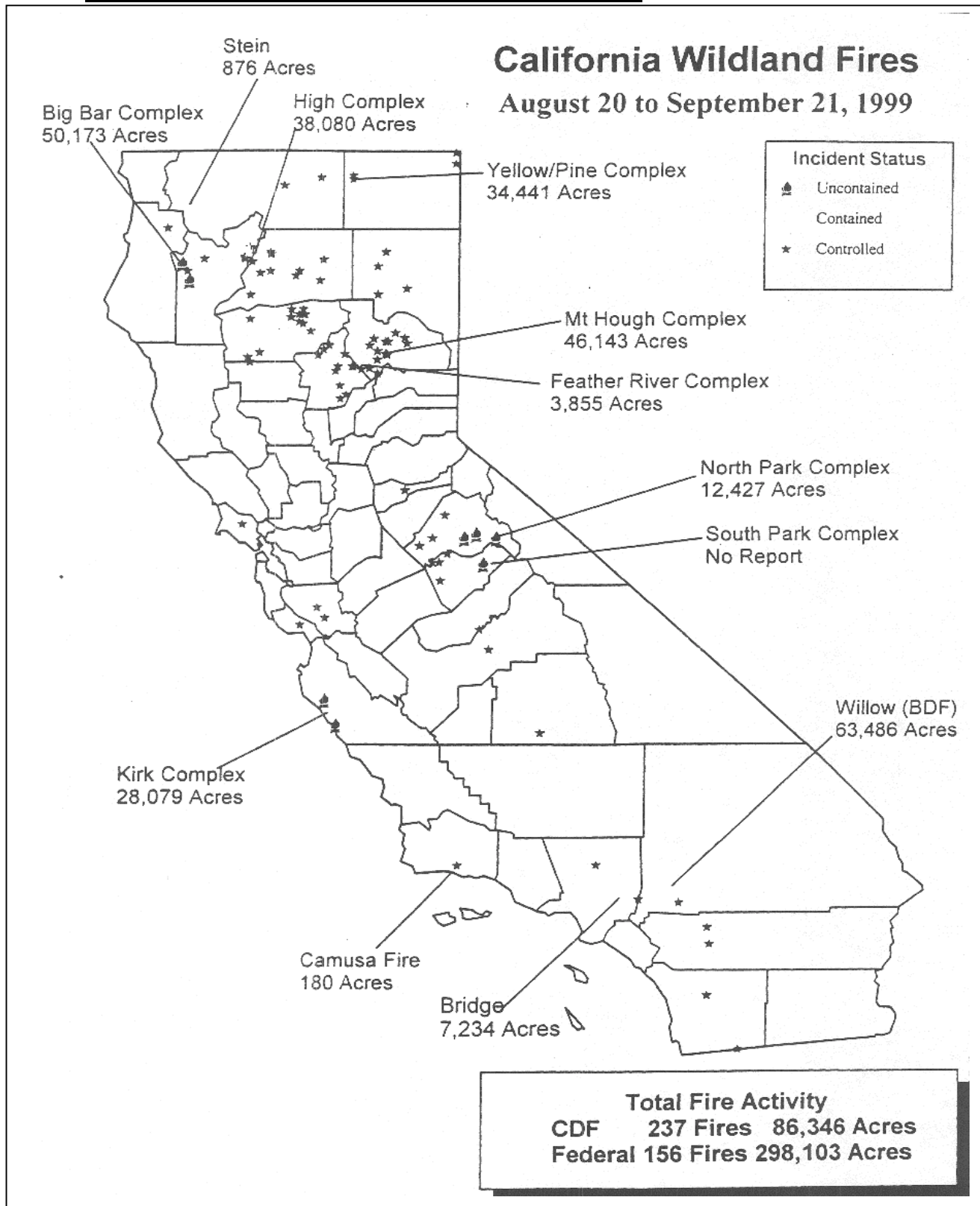
CALENDAR YEAR 1999 TIMBER HARVESTING INFORMATION THROUGH AUGUST

Note: This information is for THPs, Exemptions, and Emergency submitted to the Department during a calendar year. The numbers are the cumulative totals for the calendar year as of the end of the specified month.

	Santa Rosa		Redding		Riverside		Fresno		Total	
YEAR COMPARISON	99	98	99	98	99	98	99	98	99	98
THPS RECEIVED	361	312	209	239	1	0	62	84	633	635
PREHARVEST INSPECTIONS	229	357	228	201	0	0	37	65	494	623
THPS NOT FILED (RETURNED)	164	85	17	23	0	0	4	25	185	133
THPS WITH NON-CONCURRENCES	22	3	0	0	0	0	0	0	22	3
THPS APPROVED	361	244	156	229	0	0	57	59	574	532
THPS DENIED	0	1	0	0	0	0	0	0	0	1
ACREAGE IN APPROVED THPS	69,243	39,547	58,715	75,691	0	0	9,660	9,285	137,618	124,523
EMERGENCY NOTICES	2	18	65	61	0	0	3	9	70	88
EXEMPTION NOTICES	599	538	941	970	1	5	340	418	1,881	1,931
NONINDUSTRIAL THPS RECEIVED	49	32	4	6	0	0	9	2	62	40
NONINDUSTRIAL THPS ACRES	23,291	20,597	1,773	1,172	0	0	6,866	325	31,930	22,094

AREA	EXEMPTIONS <3 ACRE CONVERSION	EXEMPT FIRE HAZARD	OTHER EXEMPTS.
Santa Rosa	54	248	297
Redding	151	452	338
Fresno	56	138	146
Riverside	0	0	1

4, Wildland Fire Activity: August-September 1999



III. Federal Issues

1. USFS Decision on Quincy Library Group EIS

On August 20, 1999, the U.S. Forest Service signed the Record of Decision for the Herger-Feinstein Quincy Library Group Forest Recovery Act's Final Environmental Impact Statement (EIS). The proposed Alternative 2 was selected, but significantly modified to protect California spotted owls. The pilot project area covered under the EIS contains 1.5 million acres of National Forest land.

"Alternative 2 was modified so that no timber harvesting will be permitted in suitable owl habitat unless and until a long-term California spotted owl strategy for the Sierra Nevada is released that allows such an activity. This modification covers more than 420,000 acres of such habitat in the pilot project area," said Plumas National Forest Supervisor Mark Madrid.

The President signed the Quincy Library Group's legislation into law in October of 1998. The Forest Service has been working since that time to reach this Record of Decision, which implements the Congressional mandates of this law.

This decision calls for 40,000 to 60,000 acres of fuel reduction each year for five years, through a strategic system of defensible fuel profile zones (DFPZ). Development of these DFPZs will be prioritized to avoid the approximately 62,000 acres of suitable owl habitat that exists within those fuelbreak areas, until such time as owl guidelines are developed. The decision also calls for 8,700 acres of small group selection treatments per year that will result in small openings in the forest of one half to two acres. The Forest Service states that if a new California spotted owl habitat management strategy is not released in the near future, it will mean that fewer acres may be treated in the pilot project area.

Rough estimates of sawtimber volumes that will result from these treatments range from 200 to 286 million board feet annually. The actual amount of volume offered will depend on where projects are located, and the amount of available project funding. In comparison, prior to 1990, the affected Forests sold approximately 360 million board feet of timber per year.

The Act also increases protection of streamside and aquatic riparian ecosystems through a riparian management program, using guidelines for riparian and watershed protection and restoration. The chosen Alternative identifies areas that are not available for timber harvest or road construction activities including, excluded and deferred areas, protected activity centers and habitat for the California spotted owl, and high quality late successional old growth forests. Over the five years of the pilot project, approximately 11 percent of the total

landbase administered by the Plumas, Lassen and Tahoe National Forests would be affected. The decision also includes a monitoring and evaluation strategy.

2. Threatened Status for Two Chinook Salmon Evolutionary Significant Units (ESUs) in California

The following summary is contained in the Federal Register, Vol. 64, No. 179, dated September 16, 1999: (emphasis added)

Previously, NMFS completed a comprehensive status review of west coast chinook salmon (*Oncorhynchus tshawytscha*) populations in Washington, Oregon, Idaho, and California and identified 15 ESU's within this range. After soliciting additional data to resolve scientific disagreements, NMFS now issues a final rule to list two ESUs a threatened under the Endangered Species Act (ESA). **The Central Valley spring-run ESU was originally proposed as endangered, but new information indicates that the ESU should instead be considered a threatened species. The California Coastal ESU was originally proposed as threatened, as part of a larger Southern Oregon and California Coastal ESU, but new information supports a threatened listing for a revised ESU consisting of coastal chinook salmon populations from Redwood Creek (Humboldt County) south through the Russian River.** Other coastal populations to the north of this ESU (and originally proposed as threatened) are now considered part of a separate Southern Oregon and Northern California Coastal ESU that does not warrant listing at this time.

NMFS is also making final listing determinations for two other chinook salmon ESUs originally proposed as threatened. It has considered new information about the Central Valley fall and late fall-run ESU and has determined that listing is not warranted at this time, but it will consider it a candidate species. In the case of the proposed ESU expansion for threatened Snake River fall-run chinook salmon, NMFS has determined that the ESU does not include Deschutes River populations and that listing is not warranted at this time.

In the two ESUs identified as threatened, only naturally spawned populations of chinook salmon are listed. At this time, no hatchery populations are deemed essential for recovery in either of the two listed ESUs, so no hatchery populations are part of this final listing determination.














NMFS intends to issue protective regulations under section 4(d) of the ESA for these threatened ESUs. Even though NMFS is not now issuing protective regulations for the threatened ESUs, Federal agencies are required under section 7 to consult with NMFS if any activity they authorize, fund, or carry out may affect listed chinook salmon in these ESUs. The effective date of this listing is November 15, 1999.

For further information contact Garth Griffin at (503) 231-2005, Craig Wingert at (562) 980-4021 or Chris Mobley at (301) 713-1401.

3. ESA Status of West Coast Salmonids

Endangered Species Act Status of West Coast Salmonids			Updated: September 9, 1999
Species/ESU Status	(E = Endangered, T = Threatened, no/et)	Next Steps	
Pink Salmon	Listed: None Not Warranted: 1) Even-year ESU (10/95) 2) Odd-year ESU (10/95)	> No further action required.	
Coho Salmon	Listed: 1) Central CA ESU (T - 10/96) 2) Southern OR/Northern CA Coasts ESU (T - 5/97) 3) OR Coast ESU (T - 8/98) Candidates: 1) Puget Sound/Strait of Georgia ESU (7/95) 2) Lower Columbia River/Southwest WA ESU (7/95) Not Warranted: 1) Olympic Peninsula ESU (7/95)	> Complete final critical habitat designation for OR Coast ESU by early 2000. > Develop proposed 4(d) rules for OR Coast ESU. > Complete listing assessments for candidate ESUs.	
Chinook Salmon	Listed: 1) Sacramento River Winter-run ESU (E - 1/94) 2) Snake River Fall-run ESU (T - 4/92) 3) Snake River Spring/Summer-run ESU (T - 4/92) 4) Puget Sound ESU (T - 3/99) 5) Lower Columbia River ESU (T - 3/99) 6) Upper Willamette River ESU (T - 3/99) 7) Upper Columbia River Spring-run ESU (E - 3/99) 8) Central Valley Spring-run ESU (T - 3/99) 9) CA Coastal ESU (T - 9/99) Candidates: 1) Central Valley Fall and Late Fall-run ESU (9/99) Not Warranted: 1) Upper Klamath-Trinity Rivers ESU (3/98) 2) OR Coast ESU (3/98) 3) WA Coast ESU (3/98) 4) Mid-Columbia River Spring-run ESU (3/98) 5) Upper Columbia River Summer/Fall-run ESU (3/98) 6) Southern OR and Northern CA Coastal ESU (9/99) 7) Deschutes River Summer/Fall-run ESU (9/99)	> Develop proposed 4(d) rules for threatened ESUs. > Complete final critical habitat designations for listed ESUs by early 2000.	
Chum Salmon	Listed: 1) Hood Canal Summer-run ESU (T - 3/99) 2) Columbia River ESU (T - 3/99) Not Warranted: 1) Puget Sound/Strait of Georgia ESU (3/98) 2) Pacific Coast ESU (3/98)	> Develop proposed 4(d) rules for threatened ESUs. > Complete final critical habitat designations for listed ESUs by early 2000.	
Sockeye Salmon	Listed: 1) Snake River ESU (E - 11/91) 2) Ozette Lake ESU (T - 3/99) Not Warranted: 1) Baker River ESU (3/99) 2) Okanogan River ESU (3/98) 3) Lake Wenatchee ESU (3/98) 4) Quinalt Lake ESU (3/98) 5) Lake Pleasant ESU (3/98)	> Develop proposed 4(d) rule for Ozette Lake ESU. > Complete final critical habitat designations for listed ESU by early 2000.	
Steelhead	Listed: 1) Southern CA ESU (E - 8/97) 2) South-Central CA Coast ESU (T - 8/97) 3) Central CA Coast ESU (T - 8/97) 4) Upper Columbia River ESU (E - 5/97) 5) Snake River Basin ESU (T - 8/97) 6) Lower Columbia River ESU (T - 3/98) 7) CA Central Valley ESU (T - 3/98) 8) Upper Willamette ESU (T - 3/99) 9) Middle Columbia River ESU (E - 3/99) Candidates: 1) Northern CA (3/98) 2) Klamath Mountains/Povince ESU (3/98) 3) OR Coast ESU (3/98) Not Warranted: 1) Southwest WA ESU (8/96) 2) Olympic Peninsula ESU (8/96) 3) Puget Sound ESU (8/96)	> Develop proposed 4(d) rules for threatened ESUs. > Complete final critical habitat designations for listed ESUs by early 2000. > Complete listing assessments for candidate ESUs.	
Coastal Cutthroat Trout	Listed: 1) Umpqua River ESU (E - 8/96, proposed 4(d) listing 3/99) Proposed Listings: 1) Southwestern WA/Columbia River ESU (T - 3/99) Candidates: 1) Oregon Coast ESU (4/99) Not Warranted: 1) Puget Sound ESU (4/99) 2) Olympic Peninsula ESU (4/99) 3) Upper Willamette River ESU (4/99) 4) Southern OR/CA Coasts ESU (4/99)	> Complete final listing determinations for Umpqua River and Southwestern WA/Columbia River ESUs by April 2000. > Complete listing assessment for candidate ESU.	

4. Endangered Species "Box Score"

BOX SCORE						
Listings and Recovery Plans as of June 30, 1999						
GROUP	ENDANGERED		THREATENED		TOTAL LISTINGS	U.S. SPECIES W/ PLANS**
	U.S.	FOREIGN	U.S.	FOREIGN		
 MAMMALS	61	251	8	16	336	48
 BIRDS	75	178	15	6	274	77
 REPTILES	14	65	21	14	114	30
 AMPHIBIANS	9	8	8	1	26	11
 FISHES	69	11	41	0	121	88
 SNAILS	18	1	10	0	29	20
 CLAMS	61	2	8	0	71	45
 CRUSTACEANS	17	0	3	0	20	12
 INSECTS	28	4	9	0	41	27
 ARACHNIDS	5	0	0	0	5	5
ANIMAL SUBTOTAL	357	520	123	37	1,037	363
 FLOWERING PLANTS	540	1	135	0	676	494
 CONIFERS	2	0	1	2	5	2
 FERNS AND OTHERS	26	0	2	0	28	26
PLANT SUBTOTAL	568	1	138	2	709	522
GRAND TOTAL	925	521	261	39	1,746*	885

TOTAL U.S. ENDANGERED: 925 (357 animals, 568 plants)

TOTAL U.S. THREATENED: 261 (123 animals, 138 plants)

TOTAL U.S. LISTED: 1186 (480 animals¹⁹⁹⁹, 706 plants)

¹⁹⁹⁹Separate populations of a species listed both as Endangered and Threatened are tallied once, for the endangered population only. Those species are the argali, chimpanzee, leopard, Stellar sea lion, gray wolf, piping plover, roseate tern, green sea turtle, saltwater crocodile, and olive ridley sea turtle. For the

purposes of the Endangered Species Act, the term "species" can mean a species, subspecies, or distinct vertebrate population. Several entries also represent entire genera or even families.

¹⁹⁹⁹There are 519 approved recovery plans. Some recovery plans cover more than one species, and a few species have separate plans covering different parts of their ranges. Recovery plans are drawn up only for listed species that occur in the United States.

¹⁹⁹⁹Nine animal species have dual status in the U.S.

IV. RPFs and CRMs

1. RPF Examination Results

The first RPF examination of 1999 took place on April 16, 1999. Of the 34 applicants taking the examination, 15 (44%) were successful. One individual was approved as a Certified Rangeland Manager. Congratulations to those who passed! The Board of Forestry and Fire Protection approved the following as Registered Professional Foresters and Certified Rangeland Managers at its July and August 1999 meetings:

Thomas E. Smythe	RPF #2653	Ellen M. Potter	RPF #2654
Cary G. Japp	RPF #2655	Heather Brent	RPF #2656
Andrew D. Armstrong	RPF #2657	Jeff Caster	RPF #2658
Adam D. Frese	RPF #2659	Carrie A. Neubert	RPF #2660
Jeffrey E. Leddy	RPF #2661	Christopher E. Browder	RPF #2662
Craig A. Compton	RPF #2663	Garth D. Denman	RPF #2664
Christopher A. Town	RPF #2665	Erik A. Geiger	RPF #2666
Steven F. DeBenedet	RPF #2667	Mark Collins	CRM #76

2. Lost in the Woods

The following RPFs have moved and not notified us of their new addresses as required by section 1606, Title 14, California Code of Regulations (14CCR). If you know of their whereabouts, contact Foresters Licensing or have them contact us at (916) 653-8031.

Walter Francis RPF # 1641

3. Condolences

For those of you who have not heard, some of our fellow RPF's have passed away since the last issue of *Licensing News*. Our sympathy to the family and friends of each.

Dan Allwart RPF #390 Sidney H. Hatler RPF #1635

4. RPFs and Geology, Part III

As noted in the previous issue of *Licensing News*, the topics of "unstable areas" (14 CCR §895.1) and landsliding have been at the forefront of issues discussed at recent Board of Forestry and Fire Protection meetings. In view of the

prominence of these topics, and the concern expressed by the chair of the Board of Registration for Geologists and Geophysicists (BRGG), representatives of the two Boards met in the spring of 1999 to address these topics. It was the consensus of the group that, by and large, Registered Professional Foresters perform satisfactorily in terms of geologic evaluations associated with timber harvesting plans. However, as with archeology, the greatest concern centered not on the unstable areas discovered and mitigated, but rather the potential for sites to escape detection. Additionally, concerns were expressed regarding the admittedly blurred line between geologic evaluations required under the Forest Practice Rules, and the practice of professional geology as defined by California law.

In the course of discussions between the Boards, several possible courses of action were examined to address these issues. It was determined that the most productive manner of assuring proficiency of RPFs relative to geologic issues, was through a program of education including a workshop with field sessions. A program of raising the level of education, and hence proficiency, was agreed to be more productive than the regulatory approach of a technical addendum. One facet of this educational approach has been seen in previous issues of *Licensing News*. It was the belief of the BRGG that the publication of articles on RPFs and Geology was a good first step in raising awareness of the significance of geologic considerations. Further, it was the consensus of the Boards that the development of a guide to the evaluation of potential geologic concerns associated with timber harvesting would prove a valuable alternative to a regulatory addendum. To formulate this guideline, a group consisting of representatives from the respective Boards, the Division of Mines and Geology, the North Coast Regional Water Quality Control Board and the California Licensed Foresters Association met several times in 1999. The product of these meetings was the *California Licensed Foresters Association's Guide to Determining the Need for Input from a Licensed Geologist during THP Preparation*. This guideline was designed to aid the RPF preparing timber harvesting plans by noting information available for pre-field review, items to consider while performing a field evaluation, and the criteria to determine if a Licensed Geologist is required for more complex evaluations and mitigation measures.

This Guideline will be discussed at the upcoming workshop produced jointly by the California Licensed Foresters Association and the California Division of Mines and Geology. All RPFs who address geologic considerations in the course of THP preparation are strongly encouraged to attend. For more information on the scheduled October workshop, contact the California Licensed Foresters Association at (209) 293-7323 or clfa@volcano.net.

V. Professional Foresters Examining Committee

1. Disciplinary Actions

CASE NUMBER: 211

Allegation:

The complaint alleged that the RPF entered into an invalid contract to prepare a THP and market the resulting wood products while under suspension, and failed to notify the landowner of the suspension. (PRC §766) It was further alleged that the RPF failed list the true timber owner of record within the THP document, resulting in a material misstatement. (14 CCR §1034(a), 14 CCR §1035.1)

Discipline:

The PFEC's investigation and evaluation determined that the RPF had entered into a legally binding, implied contractual agreement prior to suspension, and hence, was exonerated on this specific allegation. However, it was determined that the RPF had failed to verify a purported legal conveyance of timber rights, resulting in the listing of individuals who were not the legal timber owners of record. It was found that the RPF failed to contact the County Records Office to verify ownership until after the submission of the THP. The PFEC sustained a failure of professional responsibility on the part of the RPF. However, the resulting discipline was mitigated by the actions of the timber owner and project proponent, who failed to provide a complete and accurate disclosure of timber ownership.

As a result, the PFEC issued a **Confidential Letter of Concern** voicing its concern that the RPF was remiss in their verification of the legal timber ownership prior to the submission of the THP document.

CASE NUMBER: 240

Allegation:

The complaint alleged that the RPF failed to perform adequate archeological field surveys (14 CCR §929.1(a)(1)(A) and 14 CCR §929.1(b)) which resulted in the discovery of two allegedly significant prehistoric sites following the submission of timber harvesting documents. Consequently, one of those sites was "severely modified" during subsequent timber operations. These alleged

failures were associated with one Emergency Notice and one Timber Harvesting Plan.

Discipline:

The PFEC's investigation and evaluation sustained the allegation relative to the failure associated with the Emergency Notice. It was determined that the failure of the RPF to locate the site during his archeological field survey was at least partially responsible for the modification of this recorded site.

On the recommendation of the PFEC, the Board of Forestry and Fire Protection voted in Executive Session to issue a **Private Board Reprimand** pursuant to its authority under Public Resources Code §777. In the opinion of the Board, the RPF did not protect the public interest due to a failure to perform a sufficient archeological field survey, despite formal training in this area of expertise.

The Board determined that the RPF had failed in terms of professional responsibility, however, upon the recommendation of the PFEC, chose to issue a lesser level of discipline due to the following mitigating factors:

1. The failure of the LTO to comply with the approved Emergency Notice, with regard to the use of truck roads, resulted in the physical damage to the site.
2. The RPF had in fact complied with 14 CCR §929.1(b) in requesting information on the existence of archeological sites within the proposed area of operations. It was also determined that the RPF exceeded regulatory requirements in contacting a federal agency for site information.
3. Upon disclosure of the existing site by the State Archeological Information Center, the RPF complied with the applicable regulations requiring notification of both CDF and the LTO of the existence and location of the site.

CASE NUMBER:

247

Allegation:

The complaint alleged that the RPF failed to adequately inspect and issue forest practice violations to a large number of Exemptions filed pursuant to 14 CCR 1038(b). Additionally, it was implied that a conflict of interest related to employment precipitated this alleged failure.

Discipline:

The PFEC completed its review of the case and determined that there was no evidence to substantiate the allegations of a failure to inspect timber harvesting activities and issue violations or citations as appropriate. To the contrary, the

investigation of the PFEC revealed that the RPF was instrumental in discovering, investigating, and subsequently prosecuting the plan submitter for multiple violations of forest practice regulations. Relative to this portion of the allegation, the RPF was exonerated. It was further determined that the issue of the alleged conflict of interest was not, in and of itself, within the purview of the Professional Foresters Law. However, the PFEC was concerned about the potential for a failure of professional responsibility, real or perceived, which may have arisen from what appeared to be of a substantial conflict of interest between employers. As a result, the PFEC issued a **Confidential Letter of Concern** to the RPF voicing this concern, and urging caution in future engagements with multiple, and potentially conflicting, employers.

CASE NUMBER: **250**

Allegation:

The complaint alleged the performance of professional forestry tasks by an unlicensed individual under contract with the U.S. Forest Service. This forestry practice, by a non-RPF, was alleged to be in violation of the 1992 Memorandum of Understanding (MOU) between the U.S. Forest Service (Region 5) and the Board of Forestry and Fire Protection.

Discipline:

The PFEC completed its review of the case and confirmed that the tasks performed by the non-RPF were defined within the MOU as tasks requiring an RPF. The U.S. Forest Service was notified of this breach of the MOU and has entered into discussions to address this situation. The non-RPF was informed of the existence of the MOU and the Board's position that this document continues to remain valid and enforceable. Additionally, the individual was informed of the potential legal ramifications of entering into future contracts of this nature, in violation of the existing MOU and California State Law.

CASE NUMBER: **260**

Allegation:

The complaint alleged the practice of professional forestry by an unlicensed individual using the title of "Contract Forester". This alleged practice involved the proposed removal of trees adjacent to a power line right-of-way.

Discipline:

Professional Foresters Registration completed its review of the case and determined that the tasks solicited by the non-RPF had the potential of constituting the practice of professional forestry as defined under PRC §753. The individual was sent a notice informing them of the Professional Foresters Law (PRC §766 *et seq.*) and the application of this law relative to power line rights-of-way. (14 CCR §1104.1(c)) The individual was also notified of the concern of Professional Foresters Registration that use of the title of "Contracting Forester" may imply to the public qualifications required of an RPF. The individual was cautioned to restrict their practice to within legally deeded power line rights-of-way.

CASE NUMBER:**263****Allegation:**

The complaint alleged the practice of professional forestry by an unlicensed individual employed by a state agency. This alleged practice involved the performance of a timber cruise and appraisal in conjunction with the upgrading of a highway easement to a right-of-way in fee.

Discipline:

Professional Foresters Registration completed its review of the case and determined that the tasks performed by the unlicensed individual constituted the practice of professional forestry as defined under PRC §753. The agency that employed the individual was sent a notice informing them of the Professional Foresters Law (PRC §750 *et seq.*) and the applicability of this law relative to forestry practice within highway rights-of-way. In a response from chief counsel of the agency, it was agreed that the agency would employ a licensed forester or contract with one to accomplish any future evaluation of forestry matters and forest properties.

CASE NUMBER:**264****Allegation:**

The complaint alleged the practice of professional forestry by an unlicensed individual. This alleged practice was based on the individual's use of the job title of "Forester" on business cards.

Discipline:

Professional Foresters Registration completed its review of the case and was unable to determine that the job related tasks performed by the unlicensed individual constituted the practice of professional forestry as defined under PRC §753. The individual was sent a notice informing them of the Professional Foresters Law (PRC §750 *et seq.*) and the applicability of this law relative to professional forestry practice within the context of mill and woods settings. The individual was also informed of the concern of Professional Foresters Registration that use of the title of "Forester" may imply to the public qualifications required of an RPF. In the response to the notice, the individual agreed not to practice forestry and to modify the current job title shown on all business cards as well as in any future communications with the public.

VI. Announcements

1. Francis H. Raymond Award Nominations Requested

2000 FRANCIS H. RAYMOND AWARD

The California State Board of Forestry and Fire Protection is seeking nominations for the **2000 Francis H. Raymond Award**. The annual award is given to the individual, organization, agency or company who has contributed the most to the management and increased awareness of California's forested resources over the past five years.

The award is named in honor of Francis H. Raymond, former State Forester and leading advocate of the passage of Assembly Bill 469 in 1972, which resulted in the Professional Foresters Licensing Law.

The 1999 Award was presented to the Quincy Library Group of Quincy, California. This group was recognized for its ability to achieve consensus on forestry issues between previously non-traditional stakeholders, as well as raising the level of awareness of forestry issues statewide. The passage of the Herger-Feinstein Quincy Library Group Forest Recovery and Economic Stability Act of 1997 was a direct result of this consensus.

Previous recipients of the Award include: Frank Barron of Crane Mills, Tad Mason of Pacific Wood Fuels, the late Gil Murray of the California Forestry Association, Kay Antunez of the Project Learning Tree program, Gary Nakamura of UC Cooperative Extension, Bud McCrary of Big Creek Lumber Company, Andy Lipkis of TreePeople, Norm Pillsbury of Cal Poly San Luis Obispo, John Zivnuska of UC Berkeley, Ray Rice of the US Forest Service, Peter Passof of UC Cooperative Extension, Roseburg Resources Company, the Redwood Region Conservation Council, Jim Jenkinson of the US Forest Service, and Nancy Inmon of the Trees Are For People program.

Nominations are due to the Board of Forestry by **December 15, 1999**, with the selection being made by the nomination review committee in February, and the Award to be presented at a ceremony in the summer of 2000.

Additional information may be obtained from the **California State Board of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA 94244-2460**. Contributions to endow the Francis H. Raymond Award are greatly appreciated. The stipend that accompanies this Award depends on the interest earned from donations made to the Francis H. Raymond Fund.

VII. Continuing Education

1. Forestry Publications

California Forestry

Report of the Scientific Review Panel on California Forest Practice Rules and Salmonid Habitat. F. Ligon et al. 1999. 179 p. The Resources Agency of California, Sacramento, CA 94244.

Hillslope Monitoring Program: Monitoring Results from 1996 through 1998. California State Board of Forestry and Fire Protection – Monitoring Study Group. 1999. 70 p. California State Board of Forestry and Fire Protection, Sacramento, CA 94244.

Effects of County Land Use Regulations and Management on Anadromous Salmonids and Their Habitats: Humboldt, Del Norte, Mendocino, Siskiyou and Trinity Counties, California. R. Harris and S. Kocher. 1998. 45 p. University of California Cooperative Extension, Berkeley, CA 94720.

TMDLs: The Revolution in Water Quality Regulation. J. Ruffolo. 1999. 50 p. California Research Bureau, Sacramento, CA 94237.

Proceedings of the Conference on Coastal Watersheds: The Caspar Creek Story.

R. Ziemer, tech. coord. 1998. 149 p. USDA Forest Service, PSW Research Station, P.O. Box 245, Berkeley, CA, 94701. PSW-GTR-168.

Old-Growth Forests in the Sierra Nevada: By Type in 1945 and 1993 and

Ownership in 1993. D. Beardsley et al. 1999. 46 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-RP-516.

Forest Canopy Measurements In Watercourse and Lake Protection Zones: A

Literature Review. M. Berbach et al. 1999. 23 p. California Department of Forestry and Fire Protection, P.O. Box 944246, Sacramento, CA 94244.

General Forestry

Combining Silviculture and Landscape Architecture to Enhance the Roadside

View. P. McDonald and R. Litton Jr. 1998. 20 p. USDA Forest Service, PSW Research Station, P.O. Box 245, Berkeley, CA 94701. PSW-RP-235.

Forest Economics

Composition, Volume, and Prices for Major Softwood Lumber Types in Western

Oregon and Washington. J. Weigand. 1998. 61 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-RP-509.

A Decision Support Model for Predicting Net Revenue of Harvesting Coastal

Second-Growth Forests. M. Pavel et al. 1999. 8 p. FERIC, 580 Boulevard Saint-Jean, Pointe Claire, Quebec H9R 9Z9. Tech. Report TR-126

Chip Prices as a Proxy for Nonsawtimber Prices in the Pacific Northwest. R.

Haynes. 1999. 25 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-RN-537.

Forest Entomology and Pathology

Pest Risk Assessment of the Importation into the United States of Unprocessed

Pinus and Abies Logs from Mexico. B. Tkacz et al. 1998. 116 p. USDA Forest Service, Forest Products Lab., One Gifford Pinchot Dr., Madison, WI 53705. FPL-GTR-104.

How to Identify and Manage Dutch Elm Disease. L. Haugen. 1998. 26 p.

USDA Forest Service, NE Area State and Private Forestry, 5 Radnor Corp. Center, 100 Matsonford Rd., Radnor, PA 19087. NA-PR-07-98.

Effects of Stand Density Management on Forest Insects and Diseases. L. Safranyik et al. 1998. 4 p. Pacific Forest Center, Canadian Forest Service, 506 W. Burnside Rd., Victoria, BC V8Z 1M5. Technology Transfer Note 12.

Effectiveness of Esfenvalerate, Cyfluthrin and Carbaryl in Protecting Individual Lodgepole Pines and Ponderosa Pines from Attack by Dendroctonus spp. M. Haverty et al. 1998. 12 p. USDA Forest Service, PSW Research Station, P.O. Box 245, Berkeley, CA 94701. PSW-RP-237.

Growth of Ponderosa Pine Stands in Relation to Mountain Pine Beetle Susceptibility. R. Obedzinski et al. 1999. 13 p. USDA Forest Service, RM Research Station, 240 West Prospect Rd., Fort Collins, CO 80256. RMRS-GTR-28.

Forest Ecology

Biology and Conservation of Owls of the Northern Hemisphere, February 5-9, 1997, Winnipeg, Manitoba, Canada. J. Duncan, D. Johnson, T. Nicholls, eds. 1997. 635 p. USDA Forest Service, NC Forest Experiment Station, available from: Forest Products laboratory, One Gifford Pinchot Dr., Madison, WI 53705. NC-190.

Estimating Historical Snag Density in Dry Forests East of the Cascade Range. R. Harrod et al. 1998. 16 p. USDA Forest Service, PNW research Station, P.O. Box 3890, Portland, OR 97208. PNW-GTR-428.

Fire

Fire Behavior Associated with the 1994 South Canyon Fire on Storm Mountain, Colorado. B. Butler et al. 1998. 82 p. USDA Forest Service, RM Research Station, 240 W. Prospect Rd., Fort Collins, CO 80526. RMRS-RP-9.

National Strategic Plan: Modeling and Data Systems for Wildland Fire and Air Quality. D. Sandberg et al. 1999. 60 p. USDA Forest Service, PNW Research Station, P.O. Box 3890 Portland, OR 97208. PNW-GTR-450.

International Forestry

Who is in Charge of the World's Forests? Forest Industry's Role in Maintaining a Sustainable Society. C. Owen. 1998. 18 p. Arkansas Agricultural Experiment Station, Fayetteville, AR 72701. AR Forest Resource Center Series 001.

Forest Inventory and Remote Sensing

Late-Successional and Old-Growth Forest Effectiveness Monitoring Plan for the Northwest Forest Plan. M. Hemstrom et al. 1998. 37 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-GTR-438.

Resource Applications of GPS Technology. B. Kilroy. 1998. 6 p. USDA Forest Service, Technology and Development Center, Fort Missoula, Missoula, MT 59801. 9871-2324-MTDC.

Implementation of Remote Sensing for Ecosystem Management. Remote Sensing Advisory Team. 1998. 48 p. USDA Forest Service, P.O. Box 96090, Washington, DC 20090. EM-7140-28.

Forest Policy

Integrating Science and Policy in Natural Resource Management: Lessons and Opportunities from North America. R. Clark et al. 1998. 22 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-GTR-441.

Annotated Bibliography on Forest Practices Legislation Related to Water Quality. N. Huyler et al. 1999. 9 p. USDA Forest Service, NE Research Station, 359 Main Rd., Delaware, OH 43015. NE-GTR-258.

Silviculture

Silviculture for Multiple Objectives in the Douglas-Fir Region. R. Curtis et al. 1998. 121 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-GTR-435.

Clumpy Spacing: Juvenile Spacing Douglas-Fir into Clumps to Imitate natural Stand Structure. H. Armleder. 1999. 6 p. BC Ministry of Forestry, P.O. Box 9519 Stn. Prov. Govt., Victoria, BC V8W 9C2. Ext. Note 32.

Growth of Ponderosa Pine Thinned to Different Stocking Levels in Central Oregon: 30-year Results. P. Cochran et al. 1999. 27 p. USDA Forest Service, PNW Research Station, P.O. Box 3890, Portland, OR 97208. PNW-RP-508.

Forest Utilization and Engineering

The X-DRAIN Cross Drain Spacing and Sediment Yield Model. W. Elliot et al. 1998. 23 p. + CD. USDA Forest Service, Technology and Development Center, 444 East Bonita Ave., San Dimas, CA 91773. 1801-SDTDC.

Cross Drain Update. R. Gonzales. 1998. 14 p. USDA Forest Service, Technology and Development Center, 444 East Bonita Ave., San Dimas, CA 91773. 1804-SDTDC.

A Second Comparison of Lumber Yields from Cut-to-Length and Full-Tree Harvesting Systems. J. Favreau and Y. Corneau. 1998. 6 p. FERIC, 580 Boulevard Saint-Jean, Pointe Claire, Quebec H9R 9Z9. Tech. Note TN-272.

A Landowners Guide to Building Forest Access Roads. R. Wiest. 1998. 45 p. USDA Forest Service NE Area State and Private Forestry, 5 Radnor Corp. Center, 100 Matsonford Rd., Radnor, PA 19087. NA-TP-06-98.

Using a Chip Storage Bin to Improve In-Woods Chipper Efficiency and Reduce Chip Van Cycle Times. C. Blair. 1998. 8 p. FERIC, 580 Boulevard Saint-Jean, Pointe Claire, Quebec H9R 9Z9. Tech. Note TN-274.

Evaluation of Methods of Harvesting with Protection of Small Merchantable Stems. G. Legere and J. Gingras. 1998. 12 p. FERIC, 580 Boulevard Saint-Jean, Pointe Claire, Quebec H9R 9Z9. Tech. Report TR-124.

Non-Wood Forest Products from Conifers. W. Ciesla. 1998. 124 p. FAO, Viale delle Terme di Caracalla, 00100 Rome, Italy. FAO Tech. Paper 12.

Recovery of Pulp Quality Chips from Burned Stems. D. Araki. 1999. 21 p. FERIC, 580 Boulevard Saint-Jean, Pointe Claire, Quebec H9R 9Z9. Special Report SR-130.

2. Calendar of Courses and Conferences

DATE	PROGRAM	LOCATION/SPONSORS	CONTACTS
1999			
October 1-2	PROPER RIPARIAN FUNCTIONING WORKSHOP	Redding Shasta College and Bureau of Land Management	Dan Scollon 530-225-3917
October 2-3	CALIFORNIA SOILS FROM BOTANICAL PERSPECTIVE	Berkeley Jepson Herbarium	Staci Markos or Betsy Ringrose 510-643-7008
October 5	LOG SCALING FOR TIMBER CRUISERS	Beaverton, Oregon Atterbury Consultants	503-646-5393
October 5	#62R ARCHAEOLOGICAL REFRESHER TRAINING	Ukiah California Licensed Foresters Association	Hazel Jackson 209-293-7323
October 6-7	PROFESSIONAL TIMBER CRUSING	Beaverton, Oregon Atterbury Consultants	503-646-5393
October 6-8	#63, ARCHAEOLOGICAL TRAINING (3DAY)	Ukiah California Licensed Foresters Association	Hazel Jackson 209-293-7323
October 7-9	HARDWOOD MANAGEMENT IN MIXED FORESTS OF N. CAL. CURRENT: EXAMPLES & FUTURE POSSIBILITES	Redway Institute for Sustainable Forestry(ISF), Forest Landowners of California	ISF 707-247-1101

October 7-8	WATERSHED MANAGEMENT COUNCIL 1999 FIELD TRIP	Reno Watershed Management Council	510-273-9066
October 8	GPS IN FORESTRY	Beaverton, Oregon Atterbury Consultants	503-646-5393
October 9	FOREST STEWARDSHIP WORKSHOP	Richmond	Sherry Cooper 530-224-4902
October 15-17	CALEPPC SYMPOSIUM '99: TAKING IT TO THE FIELD: FROM PREVENTION TO MANAGEMENT	Sacramento California Exotic Pest Plant Council	Sally Davis 949-487-5427
October 16- November 13	AQUATIC OUTREACH INSTITUTES'S TENTH ANNUAL FALL CONFERENCE: CREEKS, WETLANDS AND WATERSHEDS	San Francisco Aquatic Outreach Institute	BC Capps 510-231-5778
October 22-23	NORCAL SAF FALL MEETING: THE MENDOCINO REDWOOD CO. – PEOPLE & PRACTICES	Fort Bragg NorCal SAF	Claralynn Nunamker 707-467-0600
October 26-29	WETLANDS RESTORATION DESIGN AND TECHNIQUES	Berkeley UC Berkeley Extension	510-642-4111
October 29	CLFA IDENTIFICATION & MANAGEMENT OF UNSTABLE AREAS ON FORESTED LANDSCAPES WORKSHOP	Sacramento California Licensed Foresters Association	209-293-7323
October 31 – November 4	SOIL SCIENCE SOCIETY OF AMERICA'S ANNUAL MEETING: SCIENCE SERVING AG & NATURAL RESOURCES: PRESENT & FUTURE	Salt Lake City, Utah American Society of Agronomy	608-273-8080
November 1-7	APPLIED FIRE MANAGEMENT: WORKSHOP ON ECOLOGICAL BURNING	King City UC Davis Extension	1-800-752-0881
November 2-4	VIEWS FROM THE RIDGETOP: CONSIDERATIONS FOR PLANNING AT THE LANDSCAPE SCALE	Vancouver, WA Pacific Northwest Research Station and Western Forestry and Conversation	1-888-722-9416
November 2-4	THE ECOLOGY AND MANAGEMENT OF DEAD WOOD IN WESTERN FORESTS	Reno, NV USFS, PSW	Bill Hull 510-465-4962
November 3-5	ADVANCED VARIABLE PROBABILITY SAMPLING	Corvallis, OR Oregon State University	541-737-2329
November 4-5	FOREST BUSINESS & TAX SERIES	Portland, Or Oregon State University	541-737-2329
November 10	EROSION CONTROL AND LAND RESTORATION	Davis UC Davis Extension	1-800-752-0881
November 16-18	FORESTVIEW 3.5	Beaverton, OR Atterbury Consultants	503-646-5393
November 16-19	FIRE MGMT.: EMERGING POLICIES AND NEW PARADIGMS	San Diego UC Davis Extension	1-800-752-0881

November 18-19	48 TH ANNUAL CALIFORNIA FOREST PEST COUNCIL MEETING: ASSESING THE IMPACTS OF AIR POLLUTION & BURNING ON CAL. FORESTS	Sacramento California Forest Pest Council	707-562-8917
November 30	#64R ARCHAEOLOGICAL REFERSHER TRAINING	Julian area (San Diego Co.) California Licensed Foresters Association	Hazel Jackson 209-293-7323
December 2	SELLING FOREST PRODUCTS	Corvallis, OR Oregon State University	541-737-2329
December 3	CLFA ANNUAL RPF EXAM PREPARATION SEMINAR	Sacramento California Licensed Foresters Association	Hazel Jackson 209-293-7323
December 5-7	HOW WIDE SHOULD WATER COURSE AND LAKE PROTECTION ZONES BE?	Sacramento Water Resources Working Group of the Society of American Foresters and Watershed Management Council	916-929-8855
December 6-7	GIS FOR RESOURCE MANAGERS AND PROFESSIONALS	Sacramento UC Davis Extension	1-800-752-0881
2000			
January 10-14	NATURAL RESOURCES COMMUNICATION WORKSHOP	Chico California State University and The Wildlife Society	530-898-5811
January 18-20	21 ST ANNUAL FVMC: REFORESTATION FOR THE NEW MILLENNIUM – BACK TO OUR ROOTS	Redding Forest Vegetation Management Conference	Sherry Cooper 530-224-4902
January 26	FEDERAL FORESTLAND TAX MANAGEMENT FOR THE NEW MILLENNIUM	Eugene, OR N. Pacific Rim Creation	William Schlosser 509-334-1799
February 6-11	FOREST STAND DYNAMICS	Eatonville, WA University of Washington	206-543-0867
February 12-18	SOCIETY FOR RANGE MANAGEMENT 53 RD ANNUAL MEETING: TRAILS TO BOISE	Boise, ID Society for Range Management	208-422-0728
February 23	WATER RESOURCES PLANNING IN CALIFORNIA	Davis UC Davis Extension	1-800-752-0881
March 2	CLFA SPRING WORKSHOP	Sacramento California Licensed Foresters Association	Hazel Jackson 209-293-7323
March 3-4	CLFA ANNUAL CONFERENCE	Sacramento California Licensed Foresters	Hazel Jackson 209-293-7323

		Association	
March 6-15	NATURAL RESOURCES INSTITUTE – MODULE 2: DECISION MAKING AND SYSTEMS THINKING FOR NATURAL RESOURCE PROFESSIONALS	Corvallis, OR	206-543-0867
March 13-16	CONFERENCE ON LAND STEWARDSHIP IN THE 21 ST CENTURY: THE CONTRIBUTIONS OF WATERSHED MANAGEMENT?	Tucson, AZ	Peter Folliot
April 3	MANAGING CALIFORNIA WATERSHEDS: A STATEWIDE CONFERENCE	Sacramento UC Davis Extension	1-800-752-0881

VIII. Appendix

1. 14 CCR § 1600 et seq. Modifications

1607. Issuance, Expiration and Renewal of Licenses and Certificates.

(a) Professional Foresters Licenses and Specialty Certificates shall be renewed on alternating years with odd-numbered licenses and certificates expiring on July 1 of odd-numbered years and even-numbered licenses and certificates expiring on July 1 of even-numbered years.

(b) Newly issued Professional Foresters Licenses and Specialty Certificates shall be valid, on payment of the appropriate fee, from the date of issuance to July 1 of odd-numbered years for odd-numbered licenses and certificates and July 1 of even-numbered years for even-numbered licenses and certificates. The appropriate fee for a newly issued license or certificate shall be based on proration of the of the annual rate for the license as provided in ~~§~~ 1605(b)(2) or certificates as provided in ~~§~~ 1605(b)(4) against the term of the newly issued license or certificate. Individuals reinstating their license or certificate from withdrawal shall pay the full renewal fee regardless of the actual length of time remaining in the applicable two year renewal cycle.

(c) Licenses and specialisty certificates are not valid unless fees are paid prior to the expiration date. Written notification of delinquency shall be mailed no later than September 1 to those persons whose license or specialisty certificate(s) expired. ~~The RPF has~~ Individuals have sixty (60) days from the date of mailing the delinquency notice to reinstate the license or certificate by paying renewal fees and penalties, after which the Board shall revoke the license or certificate. By paying all renewal fees and penalties, within one year of the renewal date, the ~~RPF~~ individual may reinstate a license or certificate(s) revoked because of delinquency.

Note: Authority cited: Section 759, Public Resources Code

Reference: Sections 773 and 783, Public Resources Code

1608. Withdrawals.

(a) The Board may, upon written request of a currently paid up licensee, grant a withdrawal of a forester's license or specialty certificate for a period not to exceed five years at any one time without penalty. The request shall state the reason for withdrawal, and the length of time for which the withdrawal is requested. During withdrawal, the person shall not call him or herself ~~themselves~~ a "professional forester" or provide professional forester services of any kind for pay or otherwise in California, or use their registration number anywhere.

(b) Withdrawals shall be granted only for good and sufficient reasons, including, but not limited to the following:

- (1) Active duty in the armed services of the United States.
- (2) Professional service exclusively outside of the State of California.
- (3) Ill health or disability.
- (4) Registration as a full time student in a college or university.
- (5) Retirement may be used as a reason only one time.

(c) Registrants shall be notified in writing whether the request for withdrawal is granted or denied.

(d) Prior to expiration of withdrawal status, notification of required reinstatement will be sent during the regular renewal period. If an application for reinstatement, along with the required fees prescribed, ~~are~~ is not presented to the executive officer within the specified withdrawal period, the Board ~~shall~~ may revoke the license or certificate.

(e) Reinstatement of a license shall be denied if:

(1) The original withdrawal occurs as part of a stipulated agreement settling a formal disciplinary case, or

(2) An RPF requested license withdrawal after being notified by the executive officer that a disciplinary investigation was being conducted concerning the RPF's license, and that the investigation and any disciplinary proceedings associated with it have not been concluded, including any penalties being imposed.

Note Authority cited: Section 759, Public Resources Code
Reference: Section 782, Public Resources Code

1612.1. Disciplinary Guidelines

The Board establishes these guidelines to ensure that consequences in any disciplinary action of a Registered Professional Forester are known, and to facilitate uniformity of penalties. While recognizing that Administrative ~~Hearing Officers~~ Law Judges must be free to exercise their discretion in a particular case, the Board desires that these guidelines be followed to the extent possible, and that any departures therefrom be noted and explained in the proposed decision.

The Board further desires that matters in extenuation and mitigation, as well as those in aggravation, be fully considered and noted in the proposed decision. The primary importance is the adverse effect the Registered Professional Forester's actions had, or will continue to have, on the protection of the public interest.

(a) If convicted of a felony as defined in Section 778(a) and governed by Section 778.5, Public Resources Code, ranges of disciplinary action for conviction(s) are:

Maximum: Revocation of the license.

Minimum: Revocation stayed for 2 years on the following conditions:

(1) Actual suspension for 1 year.

(2) The respondent shall obey all laws and regulations related to the practice of forestry.

(b) If found guilty ~~by the Board~~ of fraud, deceit, ~~misrepresentation, or~~ gross negligence, ~~or material misstatement of fact~~ in his or her practice, governed by Public Resources Code, Section 778(b), the ranges of disciplinary action for the violation(s) are:

Maximum: Revocation of the license.

Minimum: ~~90 days~~ 6 months suspension stayed for 1 year on the following conditions:

(1) Actual suspension for ~~45~~ 60 days.

(2) Within one year of the effective date of the Board's decision, the respondent shall successfully complete a training program, approved in advance by the Board as being specifically related to the area(s) of professional failure, and/or

(3) Respondent must practice, for up to one year, with the review of work products by a Registered Professional Forester, or other specialist, as approved by the Board.

~~(2)~~ (4) The respondent shall obey all laws and regulations related to the practice of forestry.

(c) If found guilty of misrepresentation or material misstatement of fact in his or her practice, governed by Public Resources Code, Section 778(b), the ranges of disciplinary action for the violation(s) are:

Maximum: Revocation of the license.

Minimum: 90 days suspension stayed for 1 year with 15 days actual suspension, and one or more of the following:

(1) Within one year of the effective date of the Board's decision, the respondent shall successfully complete a training program, approved in advance by the Board as being specifically related to the area(s) of professional failure.

(2) Respondent must practice, for up to one year, with review of work products by a Registered Professional Forester, as approved by the Board.

(3) The respondent shall obey all laws and regulations related to the practice of forestry.

~~(e)~~ (d) If found guilty ~~by the Board~~ of incompetence governed by Section 778(b), Public Resources Code, in his or her practice, the ranges of disciplinary action for violation(s) are:

Maximum: Revocation of the license.

Minimum: Revocation stayed up to 3 years ~~on the~~ with license suspension until the completion of all of the following conditions:

(1) ~~Within 3 years of the effective date of the Board's decision, t.~~ The respondent shall successfully complete a training ~~course~~ program, approved in advance by the Board. specifically related to the area of incompetency. ~~and/or~~

(2) ~~Within 2 years from the effective date of the Board's decision,~~ The respondent ~~shall take and be notified of passing the Registered Professional Foresters examination.~~ , and

(3) Respondent must ~~practice,~~ work, at least six months full time equivalent, ~~for one year,~~ under the supervision of a Registered Professional Forester, with review of work products, as approved by the Board.

(4) The Respondent shall obey all laws and regulations related to the practice of forestry.

~~(d)~~ (e) If found guilty ~~by the Board~~ of fraud and deceit in obtaining a license, governed by Section 778(c), Public Resources Code, the ranges of disciplinary action for violation(s) are:

Recommended Action: Revocation of license.

~~(e)~~ (f) If found guilty ~~by the Board~~ of aiding or abetting a violation of, or material failure to comply with the provisions of the Professional Foresters Law, governed by Section 778(d) and (e), Public Resources Code, the ranges for disciplinary action for violation(s) are:

Maximum: Revocation of the license

Minimum: 15 days actual suspension

(g) If found guilty of failure to materially comply with any provision of the Professional Foresters Law, the Board may issue a private reprimand when the respondent commits a failure of responsibility which warrants a level of discipline lesser than suspension. If the evidence is insufficient to support a private reprimand or an accusation, the executive officer may send a confidential letter expressing the committee's concerns. If there are insufficient grounds for discipline, the executive officer shall send a letter of exoneration to the respondent.

(f) (h) In any of the above actions, the respondent shall submit such special reports as the Board may require. Said reports shall be designed to provide information as to those facets of his/her work which resulted in the disciplinary action.

Note: Authority cited: Sections 751, 759, 775, 777, and 778, Public Resources Code
Reference: Sections 751, 759, 775, 776, 777, and 778, Public Resources Code

2. Change of Address Form

As is usual during the license renewal period, Professional Foresters Registration has become aware of many individuals who have failed to change their mailing addresses following a move. Per 14 CCR §1606: "...holders of a certificate of registration and license, shall notify the Board in writing at its Sacramento office **within ten days** of any address changes, giving both the new and old address."

The failure to maintain a correct mailing address results in returned mail and additional costs which must be borne by all RPFs. Additionally, if renewal notices and withdrawal notifications are undeliverable, there is the potential for license revocation by the Board.

If you have moved, and have not done so yet, please fill out and return the change of address form below.

Name:

RPF#:

New Address (HOME):

Street:

City:

State:

Zip:

Phone:

New Address (WORK):

Street:

City:

State:

Zip:

Phone:

OLD Address (HOME):

Street:

City:

State:

Zip:

Phone:

Preferred Mailing Address: (check one) Home Work

Signature: _____ Date: _____